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ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Situation of human rights in Togo

Report of the Secretary-General submitted pursuant to Commission on Human Rights resolution 1995/52

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Introduction

1. On 3 March 1995, at its fifty-first session, the Commission on Human Rights adopted resolution 1995/52, entitled "Situation of human rights in Togo". It welcomed the fact that Togo had set out on the road to democratic political change and urged all Togolese to respect the outcome of the parliamentary elections of February 1994 and to ensure the effective functioning of the democratically elected Parliament; it also welcomed the progress made in the field of human rights and national reconciliation, in particular the amnesty law of December 1994 which had permitted the release of a number of political prisoners. The Commission also urged the Togolese authorities to continue to further improve the situation of human rights.

2. In addition, the Commission called upon the Togolese authorities to comply fully with their obligations under the international human rights instruments to which Togo is a party. The Commission also encouraged the Togolese authorities to facilitate the participation of the organs of society in the process of democratization, including national institutions dealing with the promotion and protection of human rights. It also strongly encouraged the Government of Togo to continue its cooperation with the Centre for Human Rights through the Centre's programme of advisory services and technical assistance.

3. The Commission requested the Secretary-General to submit to it at its fifty-second session a report on the implementation of the resolution. The present report is the response to that request. Chapter I describes the cooperation entered into with the Government of Togo with a view to the establishment of a programme of advisory services and technical assistance in the field of human rights. Chapter II summarizes the action taken by Special Rapporteurs of the Commission on Human Rights. Chapter III of this report reproduces the contents of the note verbale of the Government of Togo. Chapter IV is a summary of the information contained in the report brought to the Secretary-General's attention by a non-governmental organization involved in the defence of human rights.

I. COOPERATION WITH THE GOVERNMENT OF TOGO WITH A VIEW TO THE ESTABLISHMENT OF A PROGRAMME OF ADVISORY SERVICES AND TECHNICAL ASSISTANCE IN THE FIELD OF HUMAN RIGHTS

4. Since 1994 numerous initiatives have been taken by the Togolese authorities to convince the international community of Togo's commitment to guaranteeing to each Togolese without any discrimination whatsoever the full enjoyment of human rights and, in more general terms, to ensuring that the culture of human rights permeates all the organs of the State. The Minister of Human Rights and Rehabilitation with responsibility for relations with Parliament, visited Geneva on 27 September 1994, 10 November 1994 and 1 February 1995 so as to inform the Centre for Human Rights of his country's wish to receive an assessment mission with a view to establishing a three-year programme of action for the promotion and protection of human rights within the framework of the Vienna Declaration and Programme of Action. This wish

has been subsequently expressed on several occasions in correspondence from the Togolese authorities, in particular by the Prime Minister and the Minister of Human Rights and Rehabilitation, with responsibility for relations with Parliament.

5. At the request of the Government of Togo, the Centre for Human Rights sent a needs assessment mission to Togo from 6 to 10 March 1995, whose aim was to help the Government to identify clearly its priority needs, so as to be able to formulate a national programme of technical assistance that would promote human rights and fundamental freedoms. The assistance thus provided will help to create a culture of human rights and to strengthen democracy.

6. The mission held discussions with the political, administrative and religious authorities, trade union representatives, student associations, women's associations and humanitarian associations and organizations for the defence and promotion of human rights, as well as with the representatives of the public and private press and representatives of the specialized agencies of the United Nations. The mission also had conversations with the representatives of the main donor countries in Togo.

7. On the basis of the recommendations set forth in the report of the assessment mission*, the Centre for Human Rights prepared a comprehensive project for the country in the field of human rights, which was endorsed by the Board of Trustees of the Voluntary Fund for Technical Cooperation in the Field of Human Rights at its fourth session, held from 31 October to 3 November 1995. The project document, which consists of two parts, human rights in the administration of justice and human rights teaching, was submitted to the Togolese authorities on 17 October 1995 for their observations and comments.

8. As part of the task of establishing the technical assistance programme, the General Directorate of Human Rights of the Ministry of Human Rights and Rehabilitation sent a consultation mission to the Centre for Human Rights from 21 to 28 October 1995. The aim of that mission was to assess the progress achieved in preparing the programme of assistance for Togo and to harmonize the viewpoints of the Centre and of the Government of Togo.

9. With a view to strengthening its cooperation with the Government of Togo, the Centre participated in the International Conference on the Instruments and Mechanisms for the Protection of Human Rights in Africa: Realities and Prospects, which was organized by the National Commission on Human Rights of Togo and held in Lomé from 29 to 31 May 1995.

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* The report of the mission is available for consultation in the secretariat of the Centre for Human Rights.

II. ACTION TAKEN BY SPECIAL RAPPORTEURS OF THE COMMISSION ON HUMAN RIGHTS

A. Action taken by the Special Rapporteur on extrajudicial, summary or arbitrary executions

10. The action taken by the Special Rapporteur on extrajudicial, summary or arbitrary executions in respect of Togo is described in detail in his report to the Commission (E/CN.4/1996/6, para.).

11. During 1995 the Special Rapporteur sent an appeal to the Government of Togo, in which he set forth information concerning the extrajudicial, summary or arbitrary execution of Mr. Akue Atcha Kpakpo Sabin, Director of the Agence pour la sécurité de la navigation aérienne (Agency for Air Safety, ASECNA), by eight unknown persons, seven of whom were wearing military uniform.

B. Action taken by the Special Rapporteur on the question of torture

12. The action taken by the Special Rapporteur on the question of torture in respect of Togo is described in detail in his report to the Commission (E/CN.4/1996/35/Add.2, para. 676).

III. INFORMATION FROM THE GOVERNMENT OF TOGO ON THE IMPLEMENTATION OF COMMISSION ON HUMAN RIGHTS RESOLUTION 1995/52

13. By note verbale dated 29 September 1995, the Secretary-General transmitted to the Togolese Minister of Human Rights and Rehabilitation, with responsibility for relations with Parliament, a copy of resolution 1995/52 and expressed the wish to receive from the Government of Togo any information and comments that it might like to provide with regard to that resolution. By note verbale dated 10 November 1995, the Minister of Human Rights and Rehabilitation, with responsibility for relations with Parliament, transmitted the report of the Government of Togo, submitted pursuant to resolution 1995/52. The text of the report is reproduced below:**

"Improvement of the situation of human rights in the country and national reconciliation

(para. 4 of the resolution)

(1) Resolution 1995/52 adopted last year had already noted the progress achieved in Togo in the promotion and protection of human rights and national reconciliation.

(2) The promotion and protection of human rights have never been ends in themselves. All peoples must make the effort to further the promotion and protection of human rights.

** The secretariat of the Centre for Human Rights has numbered the paragraphs of the Togolese report from (1) to (51) in order to make it easier to read.

(3) Conscious of this fact, Togo has not simply been content to congratulate itself on the progress it has achieved in the protection of human rights, but has sought to re-establish peace and security for all. The proof of this is that massive violations of human rights are no longer occurring in the country. This fact has been noted by the African Commission on Human and Peoples' Rights, whose President has declared: 'I am not only satisfied at Togo's commitment for the future, but we have noted clear signs of a very considerable improvement in human rights since the present Government took office'.

(4) However, the most substantial achievements have been the additional measures taken along the path towards national reconciliation.

(5) With a view to the successful implementation of the policy of national reconciliation and 'general pardon' advocated by the Head of Government, several activities were planned. They include training seminars in Kpalimé (19-20 January 1995) on the subject: 'The rule of law and national reconciliation'. The same topic was also dealt with at Kara, Dapaong, Sokodé and Aného. Training seminars on human rights were also organized within the country by the Ministry, non-governmental organizations or human rights associations.

(6) After the adoption of the amnesty law on 14 December 1994, a decisive step forward was achieved with the signing of an agreement on 12 August 1995 between the Government of the Togolese Republic and the Office of the United Nations High Commissioner for Refugees. The purpose of this accord is to promote, facilitate and organize the voluntary repatriation of Togolese refugees. So as to facilitate their return, the Togolese Government promised to create or improve the conditions conducive to the repatriation of those of its citizens still in exile, in particular by ensuring their return in conditions of security and dignity.

(7) As a prelude to the seventeenth session of the African Commission on Human and Peoples' Rights, held in Lomé from 13 to 22 March 1995, the Ministry of Human Rights and Rehabilitation, with responsibility for relations with Parliament, organized on 8 and 9 March 1995, in conjunction with the African Commission on Human and Peoples' Rights and the organization Femme et droit de développement en Afrique (Women and the Right to Development in Africa), a training seminar attended by delegates from 27 African countries, representatives of non-governmental organizations involved in questions relating to women's rights in Africa and members of the African Commission on Human and Peoples' Rights.

(8) This important meeting gave the participants the opportunity to examine the situation of women's rights in Africa, the results of the preparatory conference in Dakar and the instrument for protecting women's rights - the African Charter on Human and Peoples' Rights.

(9) In addition, the eighth seminar of the International Commission of Jurists (ICJ) was held in Lomé from 10 to 12 March 1995.

(10) Organized by the International Commission of Jurists, in conjunction with the African Commission on Human and Peoples' Rights and the Association pour la promotion de l'état de droit (Association for the Promotion of the Rule of Law, (APED)), the purpose of this seminar was to examine the whole range of questions raised by the participation of non-governmental organizations in the work of the African Commission on Human and Peoples' Rights. During this seminar the representatives of the non-governmental organizations carried out a review of the situation of human rights in Africa and proposed measures designed to make the prison systems in our States more humane.

(11) The Togolese Government showed the particular importance it attached to the work of the International Commission of Jurists by arranging for the official opening of these proceedings to be carried out by the Minister of Human Rights and Rehabilitation, with responsibility for relations with Parliament.

(12) At the invitation of the Government of Togo, the African Commission on Human and Peoples' Rights held its seventeenth ordinary session in Lomé from 13 to 22 March 1995.

(13) The Ministry of Human Rights and Rehabilitation, with responsibility for relations with Parliament, actively helped in the material preparation of this session. The Government of Togo wished, through this event, to reaffirm its commitment to the promotion and protection of human rights in accordance with the provisions of the Constitution of the Fourth Republic and the principles set forth in the international instruments on human rights ratified by Togo.

(14) The proceedings were opened by the Minister of Human Rights and Rehabilitation, with responsibility for relations with Parliament, and closed by his Excellency the Prime Minister.

(15) The proceedings of the Commission were mainly devoted to the adoption of reports, to the examination of requests for observer status, questions on extrajudicial executions, penal reform, administrative and financial questions and the examination of communications.

(16) From 29 to 31 May 1995 a meeting of the National Commissions on Human Rights was held in Lomé on the topic: 'Instruments and mechanisms for the Protection of Human Rights in Africa: Realities and Prospects'. Organized by the National Commission on Human Rights of Togo (CNDH), this meeting was attended by delegates from the national commissions in Africa or similar institutions, representatives of associations and leagues of human rights in Togo and elsewhere. Prefects, mayors, police superintendents and officers, officers of the gendarmerie and traditional chiefs from various localities in Togo were also invited to this meeting.

(17) In the course of this meeting questions of major importance were discussed. They included:

The role of national commissions in the changing situation of human rights in Africa;

Human rights and traditions in Africa;

Ways of adapting the work of the national commissions on human rights and of African non-governmental organizations to conditions of political pluralism;

The new legal framework for the activities of the national commissions on human rights in Africa.

(18) This important meeting was opened by the Prime Minister, who took the opportunity to reaffirm the attachment of the Head of State and Head of Government to the principles governing human rights and their commitment to promoting them.

(19) In addition, the Minister of Justice, in conjunction with the Embassy of the United States of America in Togo, organized in Lomé, on 12-13 October 1995, and in Kara, on 18-19 October 1995, a training seminar for senior prison officers in Togo on the subject: 'Justice and prison life'.

(20) These seminars for governors, chief prison officers, senior police officers, judges, lawyers, chaplains, social workers and representatives of the Ministry of Human Rights and Rehabilitation, with responsibility for relations with Parliament, enabled the participants to exchange views on such diverse questions as:

The responsibilities of prison staff;

Relations between the examining magistrate and the prison administration;

The rights and duties of detainees.

(21) At the conclusion of these seminars recommendations were made to decision-makers in the prison administration and to the Minister of Justice.

(22) These recommendations dealt with the autonomy of prison management, the establishment of new infrastructures, the reorganization and equipping of remand prisons and conditions of hygiene and health for detainees.

(23) The soundness of these recommendations and the urgent desire expressed by the participants to see them implemented reveal the importance attached by all the participants to the conditions of prisoners, who should be treated with all the consideration due to their status as human beings.

(24) The Ministry of Human Rights is striving to give priority to the promotion of human rights.

(25) Thus, through the Directorate for the Promotion of Human Rights, the Ministry has devised a policy for the promotion of human rights over the next few years. The implementation of this vast programme, which involves a whole range of projects, including seminars, the publication of a journal on human rights, the construction of a documentation centre and the training of human rights teachers, will require substantial human and financial resources.

(26) In order to emphasize official support for the observance of human rights the Government of Togo is working actively to establish institutions for the protection of human rights.

(27) Draft laws and proposals designed to ensure the effective operation of the National Commission on Human Rights, the Constitutional Court, the Supreme Council of Justice, the Judiciary Regulations and the High Court for Broadcasting and Communication are being discussed in the National Assembly.

(28) Togo remains convinced that its socio-economic development can only be achieved through the observance of human rights. Clearly, the present course of events in the country shows a clear improvement in human rights, so that citizens are now able to enjoy their civil, civic and political rights.

(29) However, the effective enjoyment of economic, social and cultural rights has decreased somewhat following the devaluation of the CFA franc, one of whose consequences has been a considerable rise in the price of consumer goods. This reduces still further people's rather limited purchasing power and is likely to restrict their legitimate right to live in dignity and happiness.

(30) Thus, the Government is facing innumerable challenges and will only be able to overcome them as a result of the combined efforts of bilateral and multilateral cooperation.

II. Participation of the organs of society and national institutions in the process of democratization of the country

(para. 6 of the resolution)

(31) The organs of society and the institutions for the promotion and protection of human rights have played an active role in the struggle to bring democracy to Togo.

(32) Thus, in order to promote peace and security for all and enable the newborn democracy to take root, the Ministry of Human Rights organized two major national information campaigns.

(33) The first campaign was held from 2 to 7 August 1993 on the subject: 'Democracy and tolerance'.

(34) The second, from 25 to 27 August 1994, dealt with the virtues of national reconciliation.

(35) In order to help people become more fully aware of the ideals of democracy, the Ministry of Human Rights was mandated to continue its efforts to educate people in their rights and duties.

(36) In addition, the National Commission on Human Rights, which has been in the forefront of political change in the country, is also working to achieve this objective. The same is true of many human rights leagues and associations. These different associations have always taken up a position on the major issues concerning political life in Togo.

(37) During the pre-electoral period and the campaigns some of these non-governmental organizations organized radio and television broadcasts on the arrangements for voting: meaning of the ballot papers, choice of ballot papers and access to the polling booths.

(38) The Government of Togo, conscious of the useful role played by associations and leagues for the defence of human rights, attaches great importance to the initiatives they take. This is clearly shown by the fact that during the two training seminars for human rights' teachers held respectively from 6 to 10 June and from 20 to 24 June 1994 by the Togolese League for Human Rights (LTDH) and the International Federation of Human Rights (FIDH) the Government of the Fourth Republic played an active role in the proceedings by sending representatives and presiding over the opening and closing ceremonies. A similar level of support has been given to all the other non-governmental organizations and associations operating in the field of human rights.

III. Preparation of periodic reports

(para. 5 of the resolution)

(39) As regards the promotion and protection of human rights, Togo has ratified or acceded to most of the international instruments and has formally incorporated them into its Constitution under the terms of article 50. Togo is therefore obliged, as a result of this commitment, to submit periodic reports.

(40) Togo is, admittedly, currently behind schedule in the preparation and submission of reports, but this is not because of any lack of political will.

(41) The fact is that Togo has decided to honour its commitments in the field of human rights and consequently intends to re-establish a constructive dialogue with United Nations bodies. Thus it was that in July 1994 it submitted and presented its second periodic report to the United Nations Human Rights Committee in accordance with article 40 of the International Covenant on Civil and Political Rights.

(42) Togo will soon be transmitting its initial report to the United Nations Committee on the Rights of the Child under the Convention on the Rights of the Child, to which it is a party.

(43) An interdepartmental committee chaired by the Minister of Human Rights and Rehabilitation, with responsibility for relations with Parliament, is currently involved in the preparation of the following three reports:

The third report under the International Covenant on Civil and Political Rights;

The initial report under the International Covenant on Economic, Social and Cultural Rights;

The initial report under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

IV. Programme of advisory services and technical assistance in the field of human rights

(44) With a view to strengthening its policy of promoting and protecting human rights, the Government of Togo has requested United Nations technical assistance from the Centre for Human Rights.

(45) For the purposes of preparing a technical assistance programme, the Minister of Human Rights and Rehabilitation made working visits to the Centre in 1994 and 1995 to meet officials. In response to a request from the Government of Togo, the Centre for Human Rights sent a mission from 6 to 10 March 1995 to assess the country's needs in the field of human rights.

(46) The mission drew up a list of needs and discussed with the Government the priorities for the establishment of a technical assistance programme in the field of human rights.

(47) The report of the assessment mission stresses the efforts already undertaken by the Government of Togo in the field of human rights. It recommended a programme of technical assistance to the Government of Togo so as to support its efforts and help it to consolidate the democratic process. The draft technical assistance programme that was drawn up includes the following elements: education, training, strengthening of national institutions for the promotion and protection of human rights and establishment of a documentation and information centre, and is aimed at the following target groups: the police, gendarmerie, armed forces, young people, judges and officers of the court, members of Parliament, officials of the Ministries of Human Rights, of Justice and of Foreign Affairs, teachers, journalists and officials of human rights associations.

(48) With a view to harmonizing the approaches of the Centre for Human Rights and the Government of Togo, the Director-General of Human Rights dispatched a mission to the Centre for Human Rights in Geneva from 21 to 28 October 1995.

(49) Without waiting for the opportunities provided by resolutions 1994/78 of 9 March 1994 and 1995/52 of 3 March 1995 to avail itself of technical assistance from the Centre, Togo had already taken the initiative as early as 1992. Togo is delighted by the current political developments and the positive response of the international community to the improvements in human rights in the country.

(50) The Government of Togo, in accordance with the spirit of paragraph 9 of resolution 1995/52 of 3 March 1995, is extremely keen to see an end to consideration of the human rights situation in Togo by the United Nations Commission on Human Rights.

(51) The Government of Togo intends to continue the cooperation that it has begun with the Centre for Human Rights with a view to the successful implementation of the technical assistance programme that has been devised."

IV. INFORMATION FROM NON-GOVERNMENTAL ORGANIZATIONS INVOLVED IN THE DEFENCE OF HUMAN RIGHTS

14. In paragraph 6 of resolution 1995/52, the Commission on Human Rights encouraged the Togolese authorities to facilitate the participation of the organs of society in the process of democratization, including national institutions dealing with the promotion and protection of human rights. It is in this context that the Secretary-General received from the Togolese League for Human Rights the information reproduced below:***

"(1) The violations of human rights that occurred in Togo between February and June 1995 are described below.

(2) 22 February 1995: the Vice-President of the Togolese League of Human Rights (LTDH) was threatened by the Public Prosecutor and the military authorities, in particular the Minister of Defence, the Chief of Staff and some senior officers of the Togolese Armed Forces (FAT), following a statement by the Executive Bureau of the LTDH of 15 February 1995 expressing deep concern at the silence of the Minister of Defence about the situation of Lieutenant-Colonel Narcisse Yoma Djoua and his accomplices, who were implicated in a case of murder. The military authorities forced the Vice-President to sign a statement formulated by them on 24 February 1995 rebutting the terms of the LTDH resolution.

(3) 16 March 1995: unsuccessful search of the home of Mr. Kodjovi Emmanuel de Souza, situated in the Bè Pa de Souza district, by members of the National Gendarmerie in an attempt to find weapons. They smashed doors and windows and ransacked the whole house in the absence of Mr. de Souza.

(4) 30 March 1995: discovery by the National Gendarmerie of a cache of weapons in the house of Mr. Alexandre Adékambi beside the cemetery of Nyékonakpo (Lomé), a few yards from the Togolese frontier (sic). The discovery was followed by the arrest of several persons, including:

- Mr. Adjé Wilson, manager of the grill restaurant 'Zamelo' in Bè;
- Mr. Lambert Koffi, technical manager of the Hôtel de la Paix;
- Mr. Epiphane Kavégué, engineer at the Radio-Lomé broadcasting station;
- Mr. Alexandre Adékambi, owner of the house, hotel manager;
- Mr. Pierre Bakéla, former soldier who had taken refuge in Ghana;
- Mr. Sokékou Améwolon, former soldier who had taken refuge in Ghana;
- Mr. Koudjo Georges Sakey;

*** The secretariat of the Centre for Human Rights has numbered the paragraphs of the report of the Togolese League for Human Rights from (1) to (26) in order to make it easier to read.

- Mr. Edoh Kokou Kodjo;

- Mr. Tchao Kodjo Ange Maboudou, Donto-Rogeat representative in the Camaa Company;

- Mr. Kossi Nicolas Adzra, mechanic to whom Mr. Claude Amoussou-Doh took vehicles to be repaired. The latter was arrested at the beginning of March and confined in the military ward of the University Hospital Centre (CHU), suffering from pneumonia. It is alleged that he was ill-treated in order to make him confess.

(5) It should be pointed out that a warehouseman and a salesman of the Camaa Company, as well as the younger brother, Bruno, and the elder sister, 'da B', of Claude Amoussou-Doh, were arrested and ill-treated the same day in order to extract confessions from them. They were released several hours later.

(6) 31 March 1995: death from knife wounds in Aflao-Akato Démé of Mr. Kossi David Akakpo, lawyer's clerk in the chambers of Maître Robert Ahlonko Dovi, former President of the Bar Council and former President of the National Commission on Human Rights, who had taken refuge in Benin.

(7) 3 April 1995: unsuccessful search of the premises of the private radio station Kanal Plus 'to try to find a cassette', in the words of the policemen who carried out the operation.

(8) 4 April 1995: armed robbery carried out at the branch of the Togolese Union Bank (UTB) in Aného, a town located 45 km to the east of Lomé on the Togo-Benin border. This robbery was followed by the murder of the branch manager, Mr. Yao Adjeglo, his bodyguard and his gardener. The branch manager's chauffeur was seriously injured. One of the criminals was killed, while the other, Mr. Akouété Gbadago, a professional soldier and member of the Rapid Intervention Force (FIR), was arrested and imprisoned.

(9) 12 April 1995: heavy gunfire in the middle of the night in Akato, a village situated close to Ségbé on the Togo-Ghana border, followed by a raid by members of the National Gendarmerie. The latter ransacked the house of Mr. Alphonse Massémé Kokouvi, the former Minister of Local Planning, who had been a refugee in Ghana since the events of 3 December 1991.

(10) 5 May 1995: illegal arrest and detention in the Lomé civil prison of Mrs. Schneider, an employee of the State Inspectorate, and of a friend of her son in place of the latter, who is alleged to have attacked some teachers having financial problems with his mother. They were released several weeks later.

(11) 7 May 1995: the minister of the Evangelical Church in the village of Akato, Mr. Assimate, was publicly beaten and manhandled by members of the Togolese Armed Forces during a punitive expedition in that village. It is alleged that before withdrawing the group seriously threatened the population with extermination.

(12) 8 May 1995: armed robbery of a vehicle (a Mazda 626) belonging to Mr. Boevi, commercial manager of the Brasserie du Bénin. The two robbers were killed by the security forces in Aného.

(13) 11 May 1995, at about 6.45 p.m.: hold-up in front of the Biassa Clinic. Two armed men fired in the air and seized the Nissan Patrol four-wheel drive vehicle belonging to Mr. Amédomé, the Minister of Health.

(14) 11 May 1995: armed robbery of a Toyota Corolla belonging to the local representative of Ethiopian Airlines.

(15) 12 May 1995: trial of the persons arrested on 30 March 1995 for importing and stockpiling illegal arms, and for criminal association. Following its deliberations, the court handed down the following sentences:

- Pierre Gbaleboa Bakéla (aged 39), Koudjo Georges Sakey (aged 28) and Kodjo Lambert Koffi (aged 34): five years' imprisonment and a fine of 360,000 CFA francs;

- Edho Kokou Kodjo, Kodjo T. Ange Maboudou (aged 34), Claude Amoussou-Doh (aged 35) and Sokékou Améwolon (aged 31): five years' imprisonment;

- Kokou Epiphane Kavégué (aged 35): four years' imprisonment, and Kossi Nicolas Adzra: three years' imprisonment.

The irregular nature of the procedure followed was unsuccessfully challenged by the defence lawyers.

(16) 13 May 1995, about 3 p.m.: armed individuals in a vehicle opened fire on members of the Togolese Armed Forces and the security forces on duty on national highway 2 linking Lomé to Kpalimé, in particular at Bagbé and Amoussoukope, killing seven people, including two children at Assahoun, three gendarmes and seriously injuring two people with gunshot wounds. The official communiqué only reported four deaths.

(17) 17 May 1995, about 9 p.m.: the Lankouvi checkpoint not far from the customs post at Segbé (a northwest suburb of Lomé) was attacked by unidentified armed men, wounding at least four soldiers.

(18) 18 May 1995: attack on a checkpoint of the Togolese Armed Forces at Tokoin Casablanca (Lomé) near the Hotel Todman by unidentified armed men, killing at least three soldiers.

(19) 19 May 1995, at dawn: a taxi driver driving his vehicle out of a garage next to the 'Ma Vallée' bar was shot down in cold blood by members of the Togolese Armed Forces on frontier guard duty, who claim to have been suddenly woken up by the noise and lights of the vehicle.

(20) 24 May 1995, about 8 a.m.: a loud explosion occurred in the parking lot of the Centre administratif des services économiques et financiers (CASEF), causing considerable material damage.

(21) 24 May 1995: detention in the Vogan civilian prison of Mr. Bossou, a biology teacher at the Vogan Lycée, who had previously been harassed by several guards of the local prefecture following an altercation on 22 May 1995.

(22) 26 May 1995, about 9 p.m.: the driver (called Ibrahim) of Mr. Améwusika Tovor, an agronomist at the Service de la protection des végétaux (Plant Protection Unit) in Cacavéli was shot down in cold blood by soldiers on duty while at the wheel of his employer's car opposite the Hotel Sarakawa.

(23) 31 May 1995, about 8.45 p.m.: arrest and detention by the Lomé local gendarmerie of Mr. Komi Djanta, a driver at the Lomé-Kpalimé bus station, for possession of stolen goods for which Mr. Djanta could not account. He was not released until 7 June 1995.

(24) 1 June 1995, about 4 p.m.: for having failed to obey an order to stop, a motorcyclist riding without a helmet was knocked off his motorcycle by members of the security forces on duty at the crossroads at the Bè market in Lomé. The motorcyclist later died from his injuries.

(25) 1 June 1995, during the night: a motorcyclist and his passenger were shot down in cold blood by members of the security forces patrolling near the Raffinerie togolaise on the Lomé-Aného international highway for, it appears, failure to observe security checks.

(26) Night of 1-2 June 1995: members of the security forces on duty near the Lomé Autonomous Port fired on a Ben lorry loaded with bags of charcoal, which, it is alleged, failed promptly to obey their order to stop, seriously wounding one of the learner drivers, Mr. Dzakpata."